

**DRAFT  
RESOLUTION  
THE REGIONAL PLANNING COMMISSION  
COUNTY OF LOS ANGELES**

**WHEREAS**, the Regional Planning Commission of the County of Los Angeles has conducted a public hearing on May 27, June 24, and July 29, 2009 and discussed amendments to Title 22 (Planning and Zoning) of the Los Angeles County Code relating to farmworker housing; and

**WHEREAS**, the Commission finds as follows:

1. The State finds and declares that the availability of housing is of vital statewide importance, and a suitable living environment for every Californian, including farmworkers, is a priority of the highest order [Government Code §65580(a)]; and
2. The State also finds and declares that the agricultural work force is vital to sustaining agricultural productivity, this work force has the lowest average income of any occupational group in the state, there exists a need to house this work force of crisis proportions which requires including among agricultural uses the housing of agricultural laborers, and such use of agricultural land is in the public interest [Government Code §51220(b)]; and
3. The State Housing Element Law requires an analysis of housing needs specific to special needs populations, including farmworkers [Government Code Section §65583 (a)(7)], and requires an inventory of sites suitable for residential development, including housing for farmworkers [Government Code §65583(a)(3)]. Where the sites inventory does not identify adequate sites to accommodate housing for farmworkers, the program shall provide sufficient sites to meet the need with zoning that permits farmworker housing by right [Government Code §65583(c)(1)(C)]; and
4. The Fourth Revision of the Housing Element, adopted by the Board of Supervisors on August 5, 2008, includes population estimates for agricultural workers in Los Angeles County and the unincorporated area. Citing 2000 U.S. Census data, the Housing Element states that there are approximately 7,700 agricultural workers in Los Angeles County; 1,192 of which live in unincorporated Los Angeles County; and
5. The Fourth Revision of the Housing Element includes Appendix F, which provides a description of the implementation of Program 43 - Farmworker Housing Assistance Program from the Third Revision of the Housing Element; and
6. The proposed Farmworker Housing Ordinance implements the Farmworker Housing Program described in the Third and Fourth Revisions of the Los Angeles County Housing Element; and
7. The California Employee Housing Act (§§17000-17062.5 of the Health and Safety Code), mandates that for the purposes of zoning and land use, housing for six or fewer farmworkers shall be deemed a single-family structure with a residential land use designation; and housing consisting of no more than 36 beds in group quarters for

farmworkers or 12 units or spaces designed for use by farmworkers and their households shall be deemed an agricultural land use designation; and

8. The proposed Farmworker Housing Ordinance brings the County's current provisions for farmworker housing into compliance with the California Employee Housing Act (§§17000-17062.5 of the Health and Safety Code), and does the following: permits farmworker housing complexes and farmworker dwelling units in zones that permit agricultural uses and single family residential uses, either through a discretionary or non-discretionary procedure; and
9. Unincorporated Los Angeles County contains areas that are environmentally sensitive and areas that pose health and safety risks. Environmentally Sensitive Habitat Areas (ESHAs), Hillside Management Areas, and Significant Ecological Areas (SEAs) are environmentally sensitive. In accordance with Public Resources Code §30240(a), the Malibu Local Coastal Program, adopted by the Board of Supervisors on October 7, 1986, only permits resource-dependent uses, such as hiking trails, in ESHAs. Airport Land Use Influence Areas and Very High Fire Hazard Severity Zones (VHFHSZs) pose health and safety threats. The Los Angeles County Airport Land Use Plan, adopted by the Los Angeles County Airport Land Use Commission on December 19, 1991, cautions residential uses from locating in areas with Community Noise Equivalent Levels (CNEL) between 65 and 70 and recommends against residential uses in areas above 70 CNEL. Very High Fire Hazard Severity Zones, designated based on vegetation, topography, and climate, are areas prone to wildfire hazards. Wildfires are extremely costly to residents and local jurisdictions and pose a serious threat to the preservation of the public peace, health, or safety [Government Code §51175(a)]; and
10. The proposed Farmworker Housing Ordinance adds additional prohibitions for farmworker dwelling units in Airport Land Use Influence Areas and Environmentally Sensitive Habitat Areas. In addition, farmworker housing complexes are prohibited in Very High Fire Hazard Severity Zones, and require conditional use permits for Significant Ecological Areas and Hillside Management Areas; and
11. The State Department of Housing and Community Development (HCD) is the agency charged with monitoring and enforcing the Employee Housing Act; and
12. The proposed Farmworker Housing Ordinance adds additional verification requirements to ensure that the farmworker housing is restricted to farmworkers or farmworkers and their households; and
13. The proposed Farmworker Housing Ordinance is consistent with the purpose, intent and provisions of the General Plan and supports the following goals, policies, and programs:

*Housing Element, Housing Availability, Goal 1:* A wide range of housing types in sufficient supply to meet the needs of current and future residents, particularly persons with special needs, including but not limited to low income households, seniors, persons with disabilities, single-parent households, the homeless and at-risk homeless, and farmworkers.

*Housing Element, Housing Affordability, Goal 3:* A housing supply that ranges broadly in housing costs to enable all households, regardless of income, to secure adequate housing.

*General Policies, Housing and Community Development, Policy 47:* Promote the provision of an adequate supply of housing by location, type and price.

*Land Use Element, Conserve Resources and Enhance Environmental Quality, Policy 22:* In non-urban areas outside of Potential Agricultural Preserves, encourage the retention and expansion of agriculture by promoting compatible land use arrangements and providing technical assistance to involved farming interests.

*Land Use Element – Recommended Action Program, Program III – 20:* Amend the County regulations (including the zoning ordinance) to allow increased densities as a means of encouraging low and moderate income housing; and

14. An Initial Study was prepared for the proposed Farmworker Housing Ordinance in compliance with the California Environmental Quality Act (CEQA), which demonstrates that there is no substantial evidence that the amendments will have a significant effect on the environment. Based on the Initial Study, the Department of Regional Planning has prepared a related Negative Declaration for this project; and
15. Upon notice duly provided pursuant to California Government Code §65090 and 22.64.174 of the Los Angeles County Code, the Regional Planning Commission held public hearings on the proposed Farmworker Housing Ordinance on May 27, June 24, and July 29, 2009.

**WHEREAS**, the Regional Planning Commission, having considered all materials, file information, the negative declaration, all State and public comments and reports from the staff, does make the following findings:

1. The Negative Declaration was prepared, reviewed and circulated pursuant to the provisions of the County Code and the California Environmental Quality Act (CEQA) and reflects the independent judgment and analysis of the County; and, the project has no potential to cause significant impacts to the environment; and
2. The proposed Farmworker Housing Ordinance is intended to streamline the land use permitting process for farmworker housing that meets the requirements of the Employee Housing Act within the unincorporated areas of Los Angeles County; and
3. There exists within unincorporated Los Angeles County an affordable housing crisis, as well as constraints to the further development of affordable housing, including farmworker housing, related to regulatory, physical, and financial issues. The adoption of the proposed Farmworker Housing Ordinance is intended reduce regulatory barriers, while protecting and promoting the public health, safety and welfare.

**THEREFORE BE IT RESOLVED**, that the Regional Planning Commission recommends to the Board of Supervisors of the County of Los Angeles as follows:

1. That the Board hold a public hearing to consider the proposed amendments to Title 22 (Planning and Zoning) of the Los Angeles County Code ; and

2. That the Board adopt the attached Negative Declaration and find that the proposed amendments will not have a significant effect on the environment; and
3. That the Board adopt the proposed Farmworker Housing Ordinance, as recommended by this Commission, and determine that the amendments are compatible with and supportive of the goals and policies of the Los Angeles County General Plan.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission in the County of Los Angeles on July 29, 2009.

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ROSIE RUIZ, Secretary  
County of Los Angeles  
Regional Planning Commission

APPROVED AS TO FORM:  
OFFICE OF THE COUNTY COUNSEL

By \_\_\_\_\_

ELAINE LEMKE  
Principal Deputy County Counsel